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## Prosecution of Core Crimes in Ethiopia

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## **Statements Accompanying the Dissertation**

### **“Prosecution of Core Crimes in Ethiopia: Domestic Practice vis-à-vis International Standards”**

1. National and international prosecutions of core crimes are functionally equivalent — the latter are neither superior nor necessarily preferable to the former.
2. Being a two-phased-process comprised of preparatory and trial stages, the national prosecution of core crimes usually involves a process that is different from both the national prosecution of domestic crimes and the international prosecution of core crimes.
3. Even when a prosecuting state has removed all impediments to the commencement of prosecution of core crimes, a lack of domestic judges and lawyers trained in ICL could ultimately result in a trial that largely falls short of international standards.
4. In cases where political willingness to prosecute core crimes is entirely inexistent or where prosecutions took a form of victor’s justice, the law on the non-applicability of statutory limitations to core crimes serves as an ultimate guarantee against impunity.
5. The claim that the Genocide Convention does not prohibit the adoption of expansive domestic laws might be valid. However, such a view should be construed narrowly in a manner that does not confuse genocide with crimes against humanity.
6. Failure to understand the notion and the complex elements of genocide as designed and formulated in the Genocide Convention explains why there are several discrepancies between the international and the Ethiopian definitions of the crime.
7. Abolishing IHL’s traditional divide between war crimes based on the type of armed conflicts might not, by and of itself, be sufficient to ensure the prosecution of war crimes committed in non-international armed conflicts. Resort to customary international law as a source of the prohibition of war crimes might also prove necessary.
8. Although ICL does not specify penalties that states may prescribe for core crimes, the nature of these crimes, coupled with the interests protected by their prohibition, may require the use of unique rationales of punishment and the imposition of more severe penalties than those applicable to ordinary crimes.
9. ‘Justice is what love looks like in public’, Cornel West.